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IMPORTANT NOTICE TELECOPY/FACSIMILE COVER LETTER

TO: **Examiner Thien Minh Le**
United States Patent and Trademark
Office

DATE: October 30, 2007

FROM: **Arun Chandra, Esq.**
(by Gregg S. Ayoub)

TIME: 6:08 PM

TOTAL NO. OF PAGES, INCLUDING COVER: 38

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TELECOPY/FAX NUMBER: 571-273-2396

CLIENT NUMBER: 21119.0067// USSN 09/579,023

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Name: Gregg S. Ayoub

Signature: _____

Gregg S. Ayoub
Hogan & Hartson, L.L.P.

Docket No. 21119.0067

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Alexander R. Rostaei et al.

Serial No.: 09/579,023

Filed: May 25, 2000

For: OPTICAL SCANNER FOR READING AND DECODING ONE-AND-TWO-DIMENSIONAL SYMBOLOGIES PROCESSING MEANS AND HIGH ACCURACY IMAGE ANALYSIS

Customer Account No. 41913

Art Unit: 2876

Examiner: Thien Minh LE

Customer No.: 41913

**SECOND RESUBMISSION OF FORMAL DRAWINGS AND
RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On March 31, 2006, applicants submitted an Amendment, terminal disclaimer and resubmitted Formal Drawings. Apparently, a notice was sent to Applicants' counsel in April of 2006 regarding a non-compliant amendment. Such notice was never received by Applicants' counsel.

In late 2006 and early 2007, after believing that no action from the Patent Office in this case had been taken, Applicants' counsel contacted the Examiner and was informed of an error in the numbering of the amended claims, which error was ultimately corrected by an Examiner amendment.

Recently, following an additional period of time with no paper received from the Patent Office, Applicants' counsel was contacted by the Patent Office and learned of the April, 2006 notice and that the Formal Drawings submitted on March 31, 2006 (as opposed to the numbering of the claims) were considered non-compliant.

In a discussion with Examiner Thien Minh Le on Friday, October 26, 2007, Applicants' counsel was informed that a flag had been set in this case and that it would be

removed after Applicants' compliance with the April 2006 Notice. The Examiner faxed a copy of the April, 2006 Notice of Non-Compliant Amendment and stated that he would relay the Applicants' response (upon receipt) to Jackie at the Patent Office in order to fix the flag.

Accordingly, in response to the Notice of Non-Compliant Amendment, dated April 10, 2006, which was faxed to the Applicants' counsel on October 26, 2007, resubmitted herewith are thirty-five (35) replacement sheets of formal drawings for the above-identified application, which sheets have been expressly designated as "Replacement Sheets".

In view of the foregoing, the Applicants respectfully request that the Examiner consider the above-noted replacement of formal drawings. The Examiner is invited to contact Applicants' undersigned representative should further discussion be warranted.

Dated: October 30, 2007

Respectfully submitted,

By: 

Arun Chandra
Reg. No. 43,537

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